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SERVICE DATE - MARCH 12, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 603X)

CSX TRANSPORTATION, INC.–ABANDONMENT
EXEMPTION–IN WEBSTER COUNTY, WV

Decided: March 8, 2002

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon approximately 10.5 miles of railroad between milepost BUG-0.0 at Cowen and milepost BUG-10.5 at Bolair, in Webster County, WV. Notice of the exemption was served and published in the Federal Register on February 11, 2002 (67 FR 6320-21). The exemption is scheduled to become effective on March 13, 2002.

The Board's Section of Environmental Analysis (SEA) served an environmental assessment (EA) in this proceeding on February 15, 2002. In the EA, SEA states that the West Virginia Department of Culture and History (WV SHPO) has not completed its assessment of the potential impact of this project on historic resources.¹ Therefore, SEA recommends that CSXT retain its interest in and take no steps to alter the historic integrity of all sites or structures on the right-of-way until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f (NHPA).

SEA also states that the National Geodetic Survey (NGS) has identified five geodetic station markers that may be affected by the proposed abandonment. Therefore, SEA recommends that CSXT be required to notify NGS 90 days prior to salvage activities in order to plan for the relocation of the markers.

Additionally, SEA states that the U.S. Forest Service, Monongahela National Forest (Gauley District Office), has expressed concern regarding access to the rail line during salvaging activities and the removal of salvaged materials from National Forest lands. Therefore, SEA recommends that a condition be imposed requiring CSXT to consult with the Gauley District Office prior to salvage activities to address concerns about access to the portion of the rail line within the National Forest and the removal of salvaged material from National Forest lands.

¹ According to CSXT, there is one CSXT-owned structure, Bridge No. 1, that is 50 years old or older that is part of the proposed abandonment. The bridge is located near Donaldson, WV. It was constructed in 1944 with concrete, steel and timber and is approximately 304 feet high.

The conditions recommended by SEA will be imposed. As conditioned, this action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the exemption of the abandonment of the rail line described above is subject to the condition that CSXT: (1) retain its interest in and take no steps to alter the historic integrity of all sites or structures on the right-of-way until completion of the section 106 process of the NHPA; (2) notify NGS 90 days prior to salvage activities in order to plan relocation of the geodetic station markers identified; and (3) consult with the Gauley District Office prior to salvage activities to address concerns about access to the portion of the rail line within the National Forest and the removal of salvaged material from National Forest lands.
3. This decision is effective on the date of service.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary